

FILEDUNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO

AO 91 (Rev. 01/09) Criminal Complaint

SEP 27 2024

UNITED STATES DISTRICT COURT

for the
District of New MexicoMITCHELL R. ELFERS
CLERK OF COURTUnited States of America
v.

Deion Andre JORDAN

Case No: 24-1400 MJ

Defendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of September 25, 2024 in the county of Dona Ana in the State and District of New Mexico, the defendant violated 8 U.S.C. § 1324(a)(1)(A)(v)(I)(Conspiracy to Violate 1324 - All subsections), an offense described as follows:

Knowingly, intentionally, and unlawfully conspired, combined, confederated and agreed with others known and unknown, to commit offenses against the United States, namely: to transport, move, and attempt to transport and move an alien within the United States by means of transportation and otherwise

This criminal complaint is based on these facts:

On September 24, 2024, Border Patrol Agent (BPA) One, was assigned to the Lordsburg Borer Patrol Station's area of responsibility. BPA One was driving his issued and clearly marked U.S. Border Patrol vehicle and wearing his issued and clearly marked U.S. Border Patrol body armor.

BPA One was conducting highway interdiction on New Mexico Highway (NM HWY) 81. NM HWY 81 runs north and south from Hachita, NM to the Antelope Wells Port of Entry (POE). In Hachita, NM HWY 81 meets with NM HWYs 9 and 146. This intersection creates a route of circumvention for alien smuggling organizations (ASOs) and a route of egress to Interstate 10 (I-10).

☒ Continued on the attached sheet.



Complainant's signature

Arturo Munoz, Agent

Printed name and title

by telephone. KS

Sworn to before me and signed in my presence.

Date: September 27, 2024

City and state: Las Cruces, N.M.



Judge's signature

Kevin R. Sweazea, U.S. Magistrate Judge

Printed name and title

CONTINUATION OF CRIMINAL COMPLAINT

STATE AND DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA

V.

Deion Andre JORDAN

Continuation of Statement of Facts:

ASOs utilize these routes to cross groups of illegal aliens into the United States, where vehicles can quickly pick them up due to their proximity to the border. Afterwards, alien smugglers have an easy, law enforcement neglected route to I-10, where they can then quickly travel to multiple smuggling hub cities in both New Mexico and Arizona. Groups of illegal aliens regularly cross near the end of the International Border Wall around the Antelope Wells POE, and then quickly make their way to NM HWY 81 to meet with their pick up driver. Smugglers will often travel south on NM HWY 81, pick up, and then travel back north a short time later. Lordsburg BPAs regularly apprehend groups of illegal aliens and alien smuggling loads conducting this exact operation

At approximately 10:40 a.m., the Lordsburg Tactical Operations Center (TOC) informed BPAs within Zone 42 that a black Chrysler sedan with Arizona license plates had been spotted traveling south and then back north within a few minutes. This is common tactic that smugglers use on NM HWY 81. BPA One immediately began looking for the sedan, as he suspected it could be involved in the illicit activities outlined above. The Lordsburg TOC stated it was last seen near the 10-mile marker.

At approximately 11: 20 a.m., the black Chrysler 300 bearing Arizona license plate (ZHA4DR) passed BPA One at the 41-mile marker on NM HWY 81. As it passed, he could see a male driver, female front seat passenger, and one subject laying against the passenger door in the back seat. Alien smugglers often have aliens lay down to avoid being spotted by law enforcement. BPA One was able to see down into the vehicle as his patrol vehicle, a 4x4 pickup truck, is taller than the sedan. At this time, BPA One turned around to further observe and run records checks on the vehicle. As he approached the vehicle, the driver slowed down drastically. The speed limit on NM HWY 81 is 55 miles per hour (mph). However, the driver slowed his vehicle to 35-40 mph and swerved side to side across his lane for about a mile and a half. As BPA One followed the vehicle, he could not see very well into the rear window due to dark window tint.

BPA One contacted Deming Control via service radio and requested records checks on the vehicle. As Deming Control was returning my request, the driver came to a stop in the middle of the roadway. The driver, later identified as Defendant JORDAN, Deion Andre, then rolled down the window and made a waving motion with his hand, signaling BPA One to pass. BPA One found this incredibly suspicious and deceitful as it is very rare for someone to act this way towards law enforcement, in his experience. This behavior led him to believe that Defendant JORDAN was attempting to deceive him into continuing down the road and leaving him alone to continue his smuggling attempt.

Deming Control returned the vehicle checks and stated that the vehicle was registered to Defendant JORDAN out of Glendale, Arizona, and had not crossed the border into Mexico. This further raised his suspicion that Defendant JORDAN was smuggling illegal aliens, as his current route of travel has no destination other than Antelope Wells POE. If he did not cross into Mexico at the POE, then traveling all the way south then back north on NM HWY 81 would add approximately 90 miles and almost four hours to any other destination he may have. This would be incredibly uncommon for legitimate travelers to do.

At approximately 11:23 a.m., BPA One informed Deming Control that he would be conducting an immigration inspection on the Chrysler 300 at the 43-mile marker on NM HWY 81. As Defendant JORDAN had already stopped his vehicle, BPA One initiated his emergency lights and sirens, and pointed his finger to the side of the road to signal him to pull all the way off the roadway for everyone's safety. Defendant JORDAN did so immediately. As BPA One approached the vehicle, Defendant JORDAN nervously looked back at BPA One. The rear windows were slightly rolled down, enough so that BPA One could see inside to the floorboards of the rear seating area. BPA One could see four subjects, wearing dark and camouflage clothing, laying down on the rear floorboard.

BPA One introduced himself as a U.S. Border Patrol Agent and questioned Defendant JORDAN as to the purpose and

route of his travel today. He replied, "I've been on this backroad here", pointing to NM HWY 81. BPA One asked him why they had taken this route, and then the female passenger, replied "Just to travel this way". BPA One continued to watch the subjects in the rear floorboard. None of them would look near or make eye contact with BPA One, as they all stared straight ahead and stiffly laid motionless. BPA One asked the subjects in the rear if they knew the driver and passenger, to which no one replied nor moved. BPA One asked Defendant JORDAN who they were. Again, the female passenger replied in his place, stating "they're my cousins" and then she nervously stuttered four different names for them. BPA One asked her "Why are your cousins laying on the floor wearing camouflage?" to which the female passenger did not have a response. During these questions, Defendant JORDAN quickly reached into his driver side door panel twice. A search after his arrest revealed a fixed blade knife in the door panel where he was reaching.

All of this led BPA One to believe that this was an alien smuggling event. Therefore, BPA One reintroduced himself to the subjects in the rear in the Spanish language, and then conducted an immigration inspection on each of the subjects. All four subjects freely admitted to being present in the United States illegally without proper documents to do so. During this time, additional BPAs arrived on scene to assist with the vehicle stop.

At approximately 11:25 a.m., BPA One ordered Defendant JORDAN out of the vehicle and placed him under arrest for his part in an alien smuggling scheme. All subjects were transported back to the Lordsburg Station for further questioning and processing.

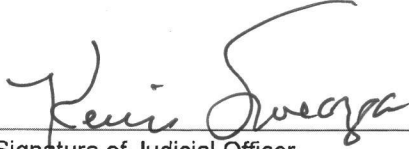
At the Lordsburg Station, BPA Two and BPA Three were tasked to interview Defendant JORDAN, Deion Andre.

The subject provided the following post-Miranda statement. Defendant JORDAN stated that he has a fentanyl problem, and his source of narcotics is an unknown subject in Phoenix, Arizona. Defendant JORDAN admitted that he owes this unknown subject money and to keep his car running he needed more money. The unknown subject gave defendant JORDAN the opportunity to make an undisclosed amount of money to pay for his car's repairs and to payback some of his debt. The job that was offered was to drive to an area adjacent to the International Border and pick up illegal aliens, and then to take them to Phoenix, Arizona.

Defendant JORDAN stated that he drove to the load out location, near the 5-mile marker on NM HWY 81 yesterday to learn the route and to see for himself. There were no illegal aliens at that time to pick up. Defendant JORDAN stated that he drove to the same location today to pick up aliens and he saw the subjects running across the desert towards his car and then get into his car. He then drove north until a marked Border Patrol vehicle drove behind him and he decided to stop on the side of the road with the illegal aliens in his back seat. Subject was subsequently arrested for transporting illegal aliens and subsequently processed at the Lordsburg Border Patrol Station. BPA Two concluded the interview at that time.

AUSA Randy Castellanos was contacted and advised regarding all known facts in this event, and he accepted this case based on all the facts; Defendant JORDAN will be charged under 8 USC 1324 (a)(1)(A)(v)(I) (conspiracy to transport).

Continuation of Statutory Language:


 Signature of Judicial Officer


 Signature of Complainant

Munoz, Arturo
 Filing Agent